

**LEGAL NOTICE
NOTICE OF HEARING
ZONING BOARD OF APPEALS
TOWN OF LANCASTER**

NOTICE IS HEREBY GIVEN of a Meeting of the Zoning Board of Appeals of the Town of Lancaster to be held Thursday, September 8, 2016 at 7:00 P.M., Local Time, in the Town Board Chambers, in the Lancaster Town Hall, 21 Central Avenue, Lancaster, New York. The item for consideration by the Zoning Board of Appeals at this meeting is:

The petition of Ronald Liberto, 46 Stutzman Road, Bowmansville, New York 14026 for one [1] variance for the purpose of establishing a tree removal and fire wood sales yard on premises owned by Paul McAllister at 5891 Genesee Street, Lancaster, New York to wit:

A variance from the requirements of Chapter 50, Zoning, Section 24 B(1) of the Code of the Town of Lancaster. The Use of the proposed business in a Light Industrial (LI) District.

Chapter 50, Zoning, Section 24 B(1) of the Code of the Town of Lancaster limits this Use to a General Industrial (GI) District. The petitioner, therefore, requests a Use variance for the purpose of conducting a tree removal service and fire wood sales yard in a Light Industrial (LI) District.

The petition of NOCO Express Properties, LLC, 2440 Sheridan Drive, Tonawanda, New York, 14150 for one variance for the purpose of installing an exterior cooler/freezer unit on premises located at 3620 Walden Avenue, Lancaster, New York. Said property is owned by NOCO Energy Corp., located at 2440 Sheridan Drive, Tonawanda, New York; to wit:

A variance from the requirements of Chapter 50, Zoning, Section 19 C(3) of the Code of the Town of Lancaster. The proposed location of the exterior cooler/freezer unit would result in a 7.78 foot side yard measurement to the North side of the building.

Chapter 50, Zoning, Section 19 C(3) of the Code of the Town of Lancaster requires a fifty [50'] foot north side yard setback. The petitioner, therefore, requests a 42.22 foot north side yard setback to a residential district.

The petition of Thomas Fitzpatrick, 684 Ransom Road, Lancaster, New York 14086 for one [1] variance for the purpose of constructing a garage after an existing garage is demolished, on premises owned by the petitioner at 684 Ransom Road, Lancaster, New York, to wit:

A variance from the requirements of Chapter 50, Zoning, Section 9D(4) of the Code of the Town of Lancaster. The area of the proposed accessory structure is 1,200 square feet.

Chapter 50, Zoning, Section 9D (4) of the Code of the Town of Lancaster limits the area of an accessory structure to seven hundred fifty (750) square feet. The petitioner, therefore, requests a four hundred fifty (450) square foot accessory use area variance.

The petition of NAS Sign Company, 1628 Elmwood Ave, Buffalo, New York 14207 for one [1] variance for the purpose of erecting a ground sign on premises owned by Bushra Iqbal at 6337 Transit Road, Lancaster, New York, to wit:

A variance from the requirements of Chapter 50, Zoning Section 30F.(2)(c)[2][a] of the Code of the Town of Lancaster to permit a sign height of eight [8'] feet, two inches (2") over finished grade.

Chapter 50, Zoning, Section 30F.(2)(c)[2][a] of the Code of the Town of Lancaster limits the height of a ground sign to four [4'] feet above finished grade. The petitioner, therefore, requests a four [4'] foot, two inch (2") ground sign height variance.

The petition of Thomas Kelkenberg, 9300 County Road, Building E-1, Clarence Center, New York 14032 for one [1] variance for the purpose of constructing a pole barn on premises owned by Michael Fontana, at 220 Schwartz Road, Lancaster, New York to wit:

A variance from the requirements of Chapter 50, Zoning, Section 9D.(4) of the Code of the Town of Lancaster. The area of the proposed accessory structure is 1,440 square feet.

Chapter 50, Zoning, Section 9D.(4) of the Code of the Town of Lancaster limits the area of an accessory structure to seven hundred fifty (750) square feet. The petitioner, therefore, requests a six hundred ninety (690) square foot accessory use area variance.

The petition of Kim and Scott Surovich, 16 Middlebury Lane, Lancaster, New York 14086 for three [3] variances for the purpose of erecting a six [6] foot high fence in a required open space area, constructing a shed in a non-permitted required front yard and constructing a shed eight [8] feet from a property line on the existing premises owned by the petitioner at 16 Middlebury Lane, Lancaster, New York, to wit:

- A. A variance from the requirements of Chapter 50, Zoning, Section 35C. of the Code of the Town of Lancaster. The premises upon which this variance is sought is a corner lot fronting on Middlebury Lane with an exterior side yard [considered a front yard equivalent] also fronting on Middlebury Lane. The petitioners propose to erect a six [6] foot high fence within the required open space area of the exterior side yard.

Chapter 50, Zoning, Section 35C. of the Code of the Town of Lancaster limits the height of a fence or wall extending into a front yard or an exterior side yard [considered a front yard equivalent] to three [3] feet in height. The petitioners, therefore, request a three [3] foot fence height variance.

- B. A variance from the requirements of Chapter 50, Zoning, Section 17A(3) of the Code of the Town of Lancaster. The petitioners propose to locate the shed inside a required front yard along Middlebury Lane.

Chapter 50, Zoning, Section 17A.(3) of the Code of the Town of Lancaster stipulates that no accessory structure shall project into a front yard. The petitioners, therefore, request a variance to permit the shed to be constructed within the required front yard along Middlebury Lane.

- C. A variance from the requirements of Chapter 50, Zoning, Section 10C.(3)(a) of the Code of the Town of Lancaster. The shed installation would result in a front yard set back of twenty seven [27] feet from the front property line.

Chapter 50, Zoning, Section 10C.(3)(a) of the Code of the Town of Lancaster requires a thirty five [35] foot front yard set back. The petitioners, therefore, request an eight [8] foot front yard set back variance.

The petition of John Sebastiano of M.F. Sebastiano & Sons, 135 Gunville Road, Lancaster, New York 14086 for one [1] variance for the purpose of constructing a covered roofed porch to the dwelling on premises owned by Jim and Carol Wagner at 5 Rose Street, Lancaster, New York, to wit:

A variance from the requirements of Chapter 50, Zoning, Section 10C.(3)(a) of the Code of the Town of Lancaster. The proposed roofed porch would result in a front yard set back of 31.3 feet.

Chapter 50, Zoning, Section 10C.(3)(a) of the Code of the Town of Lancaster requires a thirty five [35] foot front yard set back. The petitioners, therefore, request a 3.7' front yard set back variance.

Signed_____

DIANE M. TERRANOVA, TOWN CLERK and
Clerk to Zoning Board of Appeals